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Div. 396, 170 N. Y. Supp. 1024; *Smith v. Smith's Ex'r*, 122 Va. 341, 94 S. E. 777. Where the testator has paid taxes, has his family home, exercises the rights of citizenship, and makes his will describing himself as a citizen of that place, there undoubtedly is his domicile. *Carey's Appeal*, 75 Pa. St. 201. In the absence of these substantiating acts, however, there would seem to be no evidence sufficiently strong to indicate a change of the domicile. Even an unequivocal declaration of intent would not rebut the presumption against abandonment of the prior domicile. *Forbes v. Forbes*, Kay, 341; *Gilman v. Gilman*, 52 Me. 165; *Pickering v. Cambridge*, 144 Mass. 244, 10 N. E. 827.

EQUITY — JURISDICTION — ADEQUACY OF LEGAL REMEDY WHERE THERE IS A RECOVERY IN QUASI-CONTRACT — ACCOUNT. — The defendants, stockholders in a corporation, fraudulently induced the plaintiff, another stockholder, to sell his shares to them and to promise not to reëngage in a similar business for five years. The defendants having sold the stock to a competing concern at a profit, the plaintiff brings an action in equity to rescind the transaction and to have an accounting of the proceeds. *Held*, that the complaint states no ground for equitable relief. *Falk v. Hoffman*, 179 N. Y. Supp. 428 (App. Div.).

In England, when property has been procured by actual fraud, equity has freely exercised its jurisdiction to impose a constructive trust upon the proceeds, even though an adequate remedy could be had at law in quasi-contract. *Hill v. Lane*, L. R. 11 Eq. 215. See *Slim v. Croucher*, 1 De G., F. & J., 518, 523, 528; *Anderson v. Eggers*, 49 Atl. 578, 580 (N. J.). The reason seems to be that, originally, all cases of fraud were in the exclusive jurisdiction of equity, and equity refuses to be ousted of a jurisdiction exercised before the legal remedy was devised. See 1 POMEROY, EQ. JURIS., 4 ed., § 278; 2 *Id.*, § 912. However, the contrary doctrine obtains generally in the United States. *Buzard v. Houston*, 119 U. S. 347; *Curriden v. Middleton*, 232 U. S. 633. See 2 POMEROY, EQ. JURIS., 4 ed., § 914. But where special circumstances exist, such as insolvency, which will cause the legal remedy to be clearly inadequate, equity will exercise its jurisdiction. *Bosley v. The National Machine Co.*, 123 N. Y. 550, 25 N. E. 990; *American Sugar Refining Co. v. Fancher*, 145 N. Y. 552, 40 N. E. 206. The principal case is in accordance with the American doctrine. *Equitable Life Assurance Society v. Brown*, 213 U. S. 25. But the doctrine seems unfortunate in that it leads to unnecessary and prolonged litigation; equity has a legitimate ground for granting relief and should do so. The accounting in the instant case is properly held not to be sufficient of itself to give equity jurisdiction, for no mutual accounts, complication, or fiduciary relationship appear. *Stitzer v. Ponder*, 214 Pa. St. 117, 63 Atl. 421; *Taff Vale Railway Co. v. Nixon*, 1 H. L. Cas. 110; *Harvey v. Sellers*, 115 Fed. 757. See Langdell, "A Brief Survey of Equity Jurisdiction," 3 HARV. L. REV. 236, 246. See also 23 HARV. L. REV. 304. But a decree for an accounting would have been possible, as incidental to other equity relief, if the court had imposed a constructive trust. See 5 POMEROY, EQ. JURIS., 4 ed., § 2354.

EVIDENCE — GENERAL PRINCIPLES AND RULES OF EXCLUSION — EVIDENCE OF TRAILING OF ACCUSED BY BLOODHOUNDS. — The defendant was on trial for arson. A witness was permitted, over defendant's objection, to testify that dogs trained in the art of trailing human beings were set on to a well-defined track near the burned lumber yard and followed the tracks to the defendant's bed. *Held*, that there was no error. *State v. Yearwood*, 101 S. E. 513 (N. C.).

Evidence of trailing by bloodhounds is, by the weight of authority, admissible as a circumstance tending to connect the defendant with the crime. *Hargrove v. State*, 147 Ala. 97, 41 So. 972; *State v. Adams*, 85 Kan. 435, 116